

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

NATIONAL ASSOCIATION FOR GUN
RIGHTS, and SUSAN KAREN GOLDMAN,

Plaintiffs,

v.

CITY OF HIGHLAND PARK, ILLINOIS,

Defendant.

No. 1:22-cv-04774

Honorable Harry D. Leinenweber

Honorable Jeffrey T. Gilbert

NOTICE REGARDING MOTION TO REASSIGN CASE UNDER LOCAL RULE 40.4

Defendant City of Highland Park, Illinois (“Highland Park”) submits this Notice to apprise the Court that it filed a motion to reassign this case (the “Highland Park case”) to Chief Judge Pallmeyer’s docket as a case related to *Viramontes v. The County of Cook*, No. 1:21-cv-04595 (N.D. Ill.) (the “Cook County case”). Highland Park’s motion and supporting brief and exhibits are attached as Exhibit 1 (the “Motion”). The Motion is pending before Chief Judge Pallmeyer in the Cook County case, and Highland Park submits this Notice solely for the Court’s information.

As set out in the Motion, both cases are constitutional challenges to ordinances that prohibit assault weapons and large-capacity magazines. As the Seventh Circuit has recognized, the challenged ordinances are materially identical. *See Wilson v. Cook County*, 937 F.3d 1028, 1030 (7th Cir. 2019). So, both cases challenge virtually identical ordinances and concern the same key constitutional issues.

The two cases have different plaintiffs and different procedural postures—there is pending briefing on a preliminary injunction motion in the Highland Park case, and upcoming summary judgment briefing in the Cook County case. However, the brief and accompanying

expert reports that Highland Park is scheduled to file in response to the preliminary injunction motion will heavily overlap with the brief and accompanying expert reports that Cook County is scheduled to file in support of its summary judgment motion. And both Highland Park's opposition brief to the preliminary injunction motion and Cook County's summary judgment brief are due on January 19.

Accordingly, and for the reasons discussed in the Motion, all of the requirements for reassignment in Local Rule 40.4 are satisfied. As set out in the Motion, Highland Park believes that reassignment would be appropriate purely as a matter of promoting the efficient use of judicial resources, because the cases involve Second Amendment challenges to ordinances that are essentially identical.

Cook County is in favor of reassignment. The Cook County Plaintiffs take no position on reassignment. The Highland Park Plaintiffs oppose reassignment and are scheduled to file a brief in opposition before Chief Judge Pallmeyer on January 6, with Highland Park's reply brief due January 13. *See* Dkt. 56 (12/29/22 Minute Order) in Cook County case.

Dated: December 30, 2022

Respectfully submitted,

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